

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WESTERN BULK PTE LTD.,

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
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Plaintiff,

- v -

ORDER

09 Civ. 2214 (NRB)

BEIJING CSGC TIANTIE IRON & STEEL
TRADE CO. LTD. a/k/a SINOSTEEL
TIANTIE IRON & STEEL TRADE CO. LTD.
a/k/a BEIJING SINOSTEEL (CSGC)
TIANTIE IRON & STEEL TRADE CO.
LTD., SINOSTEEL CORPORATION, AND
TIANJIN TIANTIE METALLURGICAL GROUP
a/k/a TIANJIN TIANTIE METALLURGICAL
GROUP CO. LTD.,

Defendants.

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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

WHEREAS the complaint in this action was filed on March 10, 2009; and

WHEREAS Process of Maritime Attachment and Garnishment was issued against, inter alia, funds and property belonging to, due or being transferred to, from or for the benefit of defendants in the amount of \$1,880,000.00 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure on March 13, 2009 (the "Initial Order"); and

WHEREAS on March 13, 2009 this Court also issued an "Addendum to Order For the Process of Maritime Attachment" which stated that "if no assets are attached within 60 days of this order, then the order shall automatically expire and be vacated unless prior thereto counsel submits a detailed affidavit establishing to the Court's satisfaction good cause for an extension" (the "Addendum") and

WHEREAS by order on March 31, 2009 (the "Amended Order"), upon application by plaintiff, this Court increased the authorized amount of attachment to \$2,055,000.00 and stated expressly that "the terms of the Court's Addendum . . . dated March 13, 2009 apply to this Amended Ex Parte Order;" and

WHEREAS plaintiff notified the Court in a notice dated April 20, 2009 that \$200,000.00 of defendant Sinosteel Corporation has been attached; and

WHEREAS on May 14, 2009 the Court vacated the Amended Order to the extent it authorized the attachment of funds of Sinosteel Corporation; and

WHEREAS more than sixty (60) days have elapsed since the Court issued the March 13, 2009 Addendum, the only funds that have been restrained since March 13, 2009 were improvidently restrained, and plaintiff has not endeavored to show good cause why the Court should grant an extension; it is hereby

ORDERED that the attachment be vacated and the case be closed.

Dated: New York, New York
May 29, 2009



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

A copy of the foregoing Order has been mailed on this date to the following:

Attorney for Plaintiff

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